

# **EXHIBIT B**

**Casey L. Shomaker**

**From:** Casey L. Shomaker  
**Sent:** Wednesday, June 4, 2025 12:40 PM  
**To:** John Downing; Jonathan H. Hicks; Danielle Saxon; AA\_Intellectual\_Ventures; Alan Block; Kenneth Scott; Emily Tannenbaum; John B. Campbell  
**Cc:** Intellectual Ventures; Allen@allengardnerlaw.com  
**Subject:** RE: [SERVICE] IV v. American Airlines, Inc | C.A. No. 4:24-cv-00980 | Redacted Exhibits to Amended Complaint

Counsel,

As a follow up to the parties' meet and confer, if the Court allows IV's amended complaint, American proposes the schedule for this action should be modified as follows. American's proposal moves each current deadline forward by a consistent length of time. Please provide IV's position no later than 5PM CT on Friday, June 6.

Current Dates	Proposed Dates	Event
November 2, 2024	June 23, 2025	Filing of Original Complaint / Assumed Filing of Amended Complaint
January 27, 2025	August 28, 2025	American's Response to Original Complaint / Deadline to Respond to Amended Complaint
April 18, 2025	December 12, 2025	Serve Initial Disclosures
May 23, 2025	January 16, 2026	P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions (and P.R. 3-2 document production) to be served.
June 9, 2025	February 2, 2026	Join Additional Parties.
June 20, 2025	February 13, 2026	P.R. 3-3 Invalidity Contentions (and P.R. 3-4 document production) to be served. To extent not already required to be disclosed, exchange Mandatory Disclosures on all issues, including damages.
June 30, 2025	February 23, 2026	Parties to exchange proposed terms for construction and identify any claim element governed by 35 U.S.C. § 112, ¶ 6 (P.R. 4-1).
July 14, 2025	March 9, 2026	Parties to exchange preliminary proposed claim construction and extrinsic evidence supporting same (P.R. 4-2).
April 18, 2025	December 12, 2025	Parties' Final Amended Pleadings <b>(A motion for leave is required.)</b>
August 4, 2025	March 30, 2026	Joint Claim Construction and Prehearing Statement to be filed (P.R. 4-3). Provide an estimate of how many pages are needed to brief the disputed claims.
July 29, 2025	March 24, 2026	Respond to Amended Pleadings
August 11, 2025	April 6, 2026	Completion date for discovery on claim construction (P.R. 4-4)
August 26, 2025	April 21, 2026	Opening claim construction brief (P.R. 4-5(a)).
September 9, 2025	May 5, 2026	Responsive claim construction brief (P.R. 4-5(b)).
September 16, 2025	May 12, 2026	Reply claim construction brief (P.R. 4-5(c)).

September 16, 2025	May 12, 2026	Submit technology synopsis/tutorial (both hard copy and disk).
October 6, 2025	June 1, 2026	<b>Parties to file joint claim construction and chart (P.R. 4-5(d)).</b> Parties shall work together to agree on as many claim terms as possible.
October 14, 2025	June 9, 2026	Proposed Claim Construction hearing <b>June 9, 2026, at 9:00 a.m.</b> at the Paul Brown United States Courthouse, 101 E. Pecan Street, Sherman, Texas 75090.
November 7, 2025	July 3, 2026	Privilege Logs to be exchanged by parties (or a letter to the Court stating that there are no disputes as to claims of privileged documents).
November 18, 2025	July 14, 2026	Deadline for Initial Mandatory Disclosure of all persons, documents, data compilations and tangible things, which are relevant to a claim or defense of any party and which has not previously been disclosed. This deadline is not an extension of earlier deadlines set out in this court's order or the Patent Rules, nor an excuse to delay disclosure of information. It is a "catchall" deadline for provision of all remaining information which may be relevant to a claim or defense of any party at trial.
March 13, 2026	November 6, 2026	Deadline to Complete Fact Discovery and File Motions to Compel Discovery.
April 13, 2026	December 7, 2026	Parties with burden of proof to designate Expert Witnesses other than claims construction experts and provide their expert witness reports, to include for ALL experts all information set out in Rule 26(a)(2)(B).
May 4, 2026	December 28, 2026	Comply with P.R. 3-7. (Designation of Willfulness Opinions).
May 11, 2026	January 4, 2027	Parties to Designate Expert Witnesses on issues for which the parties do not bear the burden of proof, and provide their expert witness report, to include for ALL experts all information set out in Rule 26(2)(B).  <b>Note: Objections to any expert, including <i>Daubert</i> motions, shall be filed within 3 weeks after the expert's Report has been disclosed. Such objections and motions are limited to ten pages each.</b>
June 12, 2026	February 5, 2027	Expert Discovery Deadline. All expert discovery must be served in time to be completed by this date.
July 13, 2026	March 8, 2027	Deadline to File Dispositive Motions and any other motions that may require a hearing. Regardless of how many dispositive motions a party files, each party is limited to a total of sixty pages for such motions. Each individual motion shall comply with Local Rule CV-7. <b>Responses to motions shall be due in accordance with Local Rule CV-7(e).</b>
August 3, 2026	March 29, 2027	Deadline to File Responses to Dispositive Motions.
August 17, 2026	April 12, 2027	Deadline to File Replies in support of Dispositive Motions.
August 24, 2026	April 19, 2027	Deadline to File Sur-Replies in support of Dispositive Motions.
August 24, 2026	April 19, 2027	Notice of intent to offer certified records.

August 24, 2026	April 19, 2027	Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order (See <a href="http://www.txed.uscourts.gov">www.txed.uscourts.gov</a> ) and Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in nonjury cases).
August 31, 2026	April 26, 2027	<p>Deposition Designation due. Each party who proposes to offer a deposition shall serve on all other parties a disclosure identifying the line and page numbers to be offered. All other parties will have seven calendar days to serve a response with any objections and request cross-examination line and page numbers to be included. Counsel must consult on any objections, and only those which cannot be resolved shall be presented to the Court.</p> <p>The party who filed an initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties' designations, the applicable Federal Rules of Civil Procedure, and the Court's rulings on objections.</p> <p>Serve witness list.</p> <p>Serve exhibit list.</p> <p>Exchange proposed jury instructions and verdict forms.</p>
September 14, 2026	May 10, 2027	<p>Serve objections to deposition designations; serve rebuttal deposition designations.</p> <p>Serve objections and rebuttals to witness lists and exhibits lists.</p>
September 21, 2026	May 17, 2027	<p>Motions <i>in limine</i> due.</p> <p>File Joint Final Pretrial Order. Exchange Exhibits and deliver copies to the court. At this date, all that is required to be submitted to the court is a hyperlinked exhibit list on disk (2 copies) and no hard copies.</p>
October 5, 2026	May 31, 2027	<p>Response to motions <i>in limine</i> due.</p> <p>File objections to witnesses, deposition extracts, and exhibits, listed in pre-trial order. (This does not extend the deadline to object to expert witnesses). If numerous objections are filed the court may set a hearing prior to the final pretrial conference.</p> <p>File Proposed Jury Instructions/Form of Verdict (or Proposed Findings of Fact and Conclusions of Law).</p> <p>If Parties will be requesting daily copy of the transcript during trial, they must notify the Court's court reporter, Chris Bickham, <a href="mailto:Chris.Bickham@txed.uscourts.gov">Chris.Bickham@txed.uscourts.gov</a>, by this date.</p>
October 19, 2026	June 14, 2027	Final Pretrial Conference at 1:00 p.m. at the Paul Brown United States Courthouse, 101 E. Pecan Street, Sherman, Texas 75090.
TBD	TBD	10:00 a.m. Jury Selection and Trial at the Paul Brown United States Courthouse located at 101 East Pecan Street in Sherman, Texas.

Regards,

**McKool Smith** | Casey L. Shomaker  
Associate | Dallas, TX | Tel: (214) 978-4218

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**From:** John Downing <JDowning@kasowitz.com>  
**Sent:** Monday, June 2, 2025 11:47 AM  
**To:** Casey L. Shomaker <cshomaker@McKoolSmith.com>; Jonathan H. Hicks <Jhicks@kasowitz.com>; Danielle Saxon <DSaxon@kasowitz.com>; AA\_Intellectual\_Ventures <AA\_Intellectual\_Ventures@mckoolsmith.com>; Alan Block <ABlock@McKoolSmith.com>; Kenneth Scott <kscott@McKoolSmith.com>; Emily Tannenbaum <etannenbaum@McKoolSmith.com>; John B. Campbell <jcampbell@McKoolSmith.com>  
**Cc:** Intellectual Ventures <IntellectualVentures@kasowitz.com>; Allen@allengardnerlaw.com  
**Subject:** RE: [SERVICE] IV v. American Airlines, Inc | C.A. No. 4:24-cv-00980 | Redacted Exhibits to Amended Complaint

Casey,

Apologies for the delay. We oppose. Please let us know if American would like to meet and confer to resolve the issue and avoid burdening the court.

Regards,

John

John Downing  
Kasowitz Benson Torres LLP  
333 Twin Dolphin Drive, Suite 200  
Redwood Shores, CA 94065  
Tel. (650) 453-5426  
Fax. (650) 362-9430  
[JDowning@kasowitz.com](mailto:JDowning@kasowitz.com)

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**From:** Casey L. Shomaker <[cshomaker@McKoolSmith.com](mailto:cshomaker@McKoolSmith.com)>  
**Sent:** Monday, June 2, 2025 9:38 AM  
**To:** Jonathan H. Hicks <[Jhicks@kasowitz.com](mailto:Jhicks@kasowitz.com)>; Danielle Saxon <[DSaxon@kasowitz.com](mailto:DSaxon@kasowitz.com)>; AA\_Intellectual\_Ventures <[AA\\_Intellectual\\_Ventures@mckoolsmith.com](mailto:AA_Intellectual_Ventures@mckoolsmith.com)>; Alan Block <[ABlock@McKoolSmith.com](mailto:ABlock@McKoolSmith.com)>; Kenneth Scott <[kscott@McKoolSmith.com](mailto:kscott@McKoolSmith.com)>; Emily Tannenbaum <[etannenbaum@McKoolSmith.com](mailto:etannenbaum@McKoolSmith.com)>; John B. Campbell <[jcampbell@McKoolSmith.com](mailto:jcampbell@McKoolSmith.com)>  
**Cc:** Intellectual Ventures <[IntellectualVentures@kasowitz.com](mailto:IntellectualVentures@kasowitz.com)>; [Allen@allengardnerlaw.com](mailto:Allen@allengardnerlaw.com)  
**Subject:** RE: [SERVICE] IV v. American Airlines, Inc | C.A. No. 4:24-cv-00980 | Redacted Exhibits to Amended Complaint

Counsel,

IV stated it would provide its position on American's motion to strike no later than last Wednesday. Please provide IV's position without any further delay. We are available to meet and confer again, if necessary.

Regards,

**McKool Smith** | Casey L. Shomaker  
Associate | Dallas, TX | Tel: (214) 978-4218

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**From:** Jonathan H. Hicks <[Jhicks@kasowitz.com](mailto:Jhicks@kasowitz.com)>

**Sent:** Friday, May 30, 2025 4:52 PM

**To:** Casey L. Shomaker <[cshomaker@McKoolSmith.com](mailto:cshomaker@McKoolSmith.com)>; Danielle Saxon <[DSaxon@kasowitz.com](mailto:DSaxon@kasowitz.com)>; AA\_Intellectual\_Ventures <[AA\\_Intellectual\\_Ventures@mckoolsmith.com](mailto:AA_Intellectual_Ventures@mckoolsmith.com)>; Alan Block <[ABlock@McKoolSmith.com](mailto:ABlock@McKoolSmith.com)>; Kenneth Scott <[kscott@McKoolSmith.com](mailto:kscott@McKoolSmith.com)>; Emily Tannenbaum <[etannenbaum@McKoolSmith.com](mailto:etannenbaum@McKoolSmith.com)>; John B. Campbell <[jcampbell@McKoolSmith.com](mailto:jcampbell@McKoolSmith.com)>

**Cc:** Intellectual Ventures <[IntellectualVentures@kasowitz.com](mailto:IntellectualVentures@kasowitz.com)>; [Allen@allengardnerlaw.com](mailto:Allen@allengardnerlaw.com)

**Subject:** RE: [SERVICE] IV v. American Airlines, Inc | C.A. No. 4:24-cv-00980 | Redacted Exhibits to Amended Complaint

Counsel,

We confirm you can share as-filed versions of Ex. A (Amended Complaint) and Ex. 24 ('000 Patent claim chart) with your client. We confirm the redacted claim charts served earlier this week contain OAEO information and that the redacted versions can be shared with your client.

We will get back to you regarding IV's position on American's motion to strike.

Best,  
Jonathan

Jonathan H. Hicks  
Kasowitz Benson Torres LLP  
333 Twin Dolphin Drive, Suite 200  
Redwood Shores, CA 94065  
Tel. (650) 453-5423  
Fax. (650) 362-9328  
[Jhicks@kasowitz.com](mailto:Jhicks@kasowitz.com)

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**From:** Casey L. Shomaker <[cshomaker@McKoolSmith.com](mailto:cshomaker@McKoolSmith.com)>

**Sent:** Friday, May 30, 2025 2:22 PM

**To:** Danielle Saxon <[DSaxon@kasowitz.com](mailto:DSaxon@kasowitz.com)>; AA\_Intellectual\_Ventures <[AA\\_Intellectual\\_Ventures@mckoolsmith.com](mailto:AA_Intellectual_Ventures@mckoolsmith.com)>; Alan Block <[ABlock@McKoolSmith.com](mailto:ABlock@McKoolSmith.com)>; Kenneth Scott <[kscott@McKoolSmith.com](mailto:kscott@McKoolSmith.com)>; Emily Tannenbaum <[etannenbaum@McKoolSmith.com](mailto:etannenbaum@McKoolSmith.com)>; John B. Campbell <[jcampbell@McKoolSmith.com](mailto:jcampbell@McKoolSmith.com)>

**Cc:** Intellectual Ventures <[IntellectualVentures@kasowitz.com](mailto:IntellectualVentures@kasowitz.com)>; [Allen@allengardnerlaw.com](mailto:Allen@allengardnerlaw.com)

**Subject:** RE: [SERVICE] IV v. American Airlines, Inc | C.A. No. 4:24-cv-00980 | Redacted Exhibits to Amended Complaint

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Counsel,

Following up on the below. Please provide IV's position on the motion to strike today.

Regards,

**McKool Smith** | Casey L. Shomaker  
Associate | Dallas, TX | Tel: (214) 978-4218

NOTICE OF CONFIDENTIALITY: The information contained in and transmitted with this e-mail is SUBJECT TO THE ATTORNEY-CLIENT and ATTORNEY WORK PRODUCT PRIVILEGE and is CONFIDENTIAL. It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, use or reliance upon the information contained in and transmitted with this e-mail by or to anyone other than the addressee designated above by the sender is unauthorized and strictly prohibited. If you have received this e-mail in error, please notify the sender by reply immediately. Any e-mail erroneously transmitted to you should be immediately destroyed.

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**From:** Casey L. Shomaker <[cshomaker@McKoolSmith.com](mailto:cshomaker@McKoolSmith.com)>  
**Sent:** Thursday, May 29, 2025 9:02 PM  
**To:** Danielle Saxon <[DSaxon@kasowitz.com](mailto:DSaxon@kasowitz.com)>; AA\_Intellectual\_Ventures <[AA\\_Intellectual\\_Ventures@mckoolsmith.com](mailto:AA_Intellectual_Ventures@mckoolsmith.com)>; Alan Block <[ABlock@McKoolSmith.com](mailto:ABlock@McKoolSmith.com)>; Kenneth Scott <[kscott@McKoolSmith.com](mailto:kscott@McKoolSmith.com)>; Emily Tannenbaum <[etannenbaum@McKoolSmith.com](mailto:etannenbaum@McKoolSmith.com)>; John B. Campbell <[jcampbell@McKoolSmith.com](mailto:jcampbell@McKoolSmith.com)>  
**Cc:** Intellectual Ventures <[IntellectualVentures@kasowitz.com](mailto:IntellectualVentures@kasowitz.com)>; [Allen@allengardnerlaw.com](mailto:Allen@allengardnerlaw.com)  
**Subject:** RE: [SERVICE] IV v. American Airlines, Inc | C.A. No. 4:24-cv-00980 | Redacted Exhibits to Amended Complaint

Counsel,

Apologies for the serial emails. Please also confirm IV does contend the redacted charts contain Highly Confidential – Outside Attorneys' Eyes Only information and the confidentiality header should also be removed or redacted.

Thanks,

**McKool Smith**

**Casey L. Shomaker**  
Associate  
Dallas, TX  
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**From:** Casey L. Shomaker <[cshomaker@McKoolSmith.com](mailto:cshomaker@McKoolSmith.com)>  
**Sent:** Thursday, May 29, 2025 8:37 PM  
**To:** Danielle Saxon <[DSaxon@kasowitz.com](mailto:DSaxon@kasowitz.com)>; AA\_Intellectual\_Ventures <[AA\\_Intellectual\\_Ventures@mckoolsmith.com](mailto:AA_Intellectual_Ventures@mckoolsmith.com)>; Alan Block <[ABlock@McKoolSmith.com](mailto:ABlock@McKoolSmith.com)>; Kenneth Scott <[kscott@McKoolSmith.com](mailto:kscott@McKoolSmith.com)>; Emily Tannenbaum <[etannenbaum@McKoolSmith.com](mailto:etannenbaum@McKoolSmith.com)>; John B. Campbell <[jcampbell@McKoolSmith.com](mailto:jcampbell@McKoolSmith.com)>

Cc: Intellectual Ventures <[IntellectualVentures@kasowitz.com](mailto:IntellectualVentures@kasowitz.com)>; [Allen@allengardnerlaw.com](mailto:Allen@allengardnerlaw.com)

Subject: RE: [SERVICE] IV v. American Airlines, Inc | C.A. No. 4:24-cv-00980 | Redacted Exhibits to Amended Complaint

Counsel,

Please provide a redacted version of Ex. A (Amended Complaint) and Ex. 24 ('000 Patent claim chart), or confirm we can share the as-filed versions with American. Please also provide your client's position on American's forthcoming motion to strike.

Regards,

**McKool Smith** | Casey L. Shomaker  
Associate | Dallas | (214) 978-4218

---

**From:** Danielle Saxon <[DSaxon@kasowitz.com](mailto:DSaxon@kasowitz.com)>

**Sent:** Wednesday, May 28, 2025 9:17 PM

**To:** AA\_Intellectual\_Ventures <[AA\\_Intellectual\\_Ventures@mcchoolsmith.com](mailto:AA_Intellectual_Ventures@mcchoolsmith.com)>; Clara Bourget <[cbourget@McKoolSmith.com](mailto:cbourget@McKoolSmith.com)>; Alan Block <[ABlock@McKoolSmith.com](mailto:ABlock@McKoolSmith.com)>; Casey L. Shomaker <[cshomaker@McKoolSmith.com](mailto:cshomaker@McKoolSmith.com)>; Kenneth Scott <[kscott@McKoolSmith.com](mailto:kscott@McKoolSmith.com)>; Emily Tannenbaum <[etannenbaum@McKoolSmith.com](mailto:etannenbaum@McKoolSmith.com)>; John B. Campbell <[jcampbell@McKoolSmith.com](mailto:jcampbell@McKoolSmith.com)>

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**Subject:** [SERVICE] IV v. American Airlines, Inc | C.A. No. 4:24-cv-00980 | Redacted Exhibits to Amended Complaint

## HIGHLY CONFIDENTIAL – OUTSIDE ATTORNEYS' EYES ONLY

Counsel,

Please find the attached Redacted Exhibits to Amended Complaint listed below:

- 2025 05 28 (048-22) Ex. 21 US 7712080 Patent Claim Chart (Claim 9) (AA)\_R
- 2025 05 28 (048-23) Ex. 22 US 7822841 Patent Claim Chart (Claim 1) (AA)\_R
- 2025 05 28 (048-24) Ex. 23 US 8352584 Patent Claim Chart (Claim 1) (AA)\_R
- 2025 05 28 (048-26) Ex. 25 US 10103845 Patent Claim Chart (Claim 1) (AA)\_R
- 2025 05 28 (048-27) Ex. 26 US 7721282 Patent Claim Chart (Claim 1) (AA)\_R

Regards,  
Danielle Saxon

Danielle M. Saxon  
Legal Secretary  
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[DSaxon@kasowitz.com](mailto:DSaxon@kasowitz.com)

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